

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 552

S.P. 192

In Senate, February 6, 2003

An Act To Establish Cleaning Stations for Boats Entering Maine

(EMERGENCY)

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BLAIS of Kennebec.
Cosponsored by Representative RECTOR of Thomaston and
Representative: BERUBE of Lisbon.

2 **Emergency preamble. Whereas.** Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** Maine's lakes and ponds are some of the State's
6 most valuable resources for the economy, tourism and the
enjoyment of residents and nonresidents alike; and

8 **Whereas,** the water quality of Maine's lakes and ponds is
10 among the best in the nation; and

12 **Whereas,** the proliferation of invasive plants and animals
from outside the State has already become a major problem for the
14 water quality, productivity and enjoyment of the State's lakes
and ponds; and

16 **Whereas,** the protection of the lakes and ponds in the State
18 from invasive plants and animals is most important in the summer
when boaters from outside the State travel to Maine to enjoy the
20 lakes and ponds; and

22 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
24 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
26 safety; now, therefore,

28 **Be it enacted by the People of the State of Maine as follows:**

30 **Sec. 1. 38 MRSA §1862,** as enacted by PL 2001, c. 434, Pt. A,
§7, is amended to read:

32 **§1862. Program to prevent infestation of and to control invasive**
34 **aquatic plants**

36 **1. Program.** The commissioner and the Commissioner of
Inland Fisheries and Wildlife jointly shall implement a program
38 to inspect watercraft, watercraft trailers and outboard motors at
or near the border of the State and at boat launching sites for
40 the presence of invasive aquatic plants and to provide
educational materials to the public and to watercraft owners
42 regarding invasive aquatic plants.

44 **2. Other inspection stations allowed.** The program
established under this section also may include inspections at
46 boat launching sites on inland waters that are already infested
and at boat launching sites on the inland waters that have been
48 identified as most at risk of introduction of invasive aquatic
plants.

2 2-A. Cleaning stations. An inspection station under
3 subsection 1 that is located at or near the border of the State
4 must have equipment to clean an infested watercraft, watercraft
5 trailer or outboard motor. An inspector or agent of the State
6 shall immediately clean a watercraft, watercraft trailer or
7 outboard motor that fails inspection.

8 **3. Informational material to be provided.** The program
9 established under this section must provide for the distribution
10 of informational material on invasive aquatic plants, including a
11 guide to identifying those plants, information on how to prevent
12 the spread of those plants and information on the potential
13 environmental impact and other impacts of infestation.
14 Informational material regarding invasive aquatic plants and the
15 requirements of Title 12, section 7794-C must be handed to
16 boaters traveling north at the southernmost toll booth of the
17 Maine Turnpike. Informational road signs informing motorists
18 entering the State of the requirements of Title 12, section
19 7794-C, must be located at any road that is a major access point
20 to the State.

21 **3-A. Issuance of stickers and certificates.** An inspection
22 station under subsection 1 that is located at or near the border
23 of the State shall issue the lake and river protection stickers
24 created by Title 12, section 7794-B. An inspector under this
25 program shall issue a certificate of inspection if a watercraft,
26 watercraft trailer or outboard motor passes inspection.

27 **4. Program implementation.** During the 2001 boating season,
28 the department and the Department of Inland Fisheries and
29 Wildlife shall spend at least 5,000 person hours inspecting
30 watercraft, watercraft trailers and outboard motors at selected
31 boat launching sites and at no fewer than 10 roadside locations
32 at or near the state border. In 2001, the program established
33 under this section also must include an extensive educational
34 effort involving a variety of media with the goal of informing
35 the public of the risks posed by invasive aquatic plants, how to
36 inspect watercraft, watercraft trailers and outboard motors for
37 the presence of invasive aquatic plant material and how to
38 properly dispose of that material. The program also must include
39 other invasive aquatic plant-related inspection or educational
40 efforts considered appropriate by the commissioner and the
41 Commissioner of Inland Fisheries and Wildlife.

42 The program in 2002 and subsequent years must be at a level of
43 effort determined by the commissioner and the Commissioner of
44 Inland Fisheries and Wildlife in consultation with the
45 Interagency Task Force on Invasive Aquatic Plant and Nuisance
46 Species, as established in section 1871.

2 The department and the Department of Inland Fisheries and
3 Wildlife shall fully implement the provisions of subsection 2-A
4 before dedicating funds from the Invasive Aquatic Plant and
5 Nuisance Species Fund, established in section 1863, to implement
6 other elements of the program.

7 **Emergency clause.** In view of the emergency cited in the
8 preamble, this Act takes effect when approved.

10 SUMMARY

11 This bill requires that:

12
13 1. Informational material regarding the requirements of
14 boaters to purchase a lake and river protection sticker and the
15 reasons for the sticker be handed to boaters driving north on the
16 Maine Turnpike and on informational signs on roads leading into
17 the State;

18
19 2. Cleaning equipment be located at invasive aquatic plant
20 inspection stations that are at or near the borders of the State;

21
22 3. Inspectors or other agents of the State immediately
23 clean watercraft, watercraft trailers or outboard motors that
24 fail inspection;

25
26 4. Inspection stations at or near the borders of the State
27 issue lake and river protection stickers and certificates of
28 inspection for watercraft, watercraft trailers and outboard
29 motors that pass inspection; and

30
31 5. Proceeds of the Invasive Aquatic Plant and Nuisance
32 Species Fund be used to establish cleaning stations before being
33 spent on other elements of the program to prevent infestation of
34 and to control invasive aquatic plants.
35
36